

Application No.: 09/901,972
Response to OA of 12/06/04

Remarks

In the present response, claims 1, 3-15, and 18-30 are presented for examination.

I. Claim Rejections: 35 USC § 103

Claims 1, 3-11, 15, 19, 21-25 are rejected under 35 USC § 103 as being unpatentable over USPN 2002/0163910 (hereafter Wisner) in view of USPN 6,421,688 (hereafter Song). This rejection is traversed.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Applicants assert that the rejection does not satisfy these criteria.

Claim 1

Claim 1 recites numerous recitations that are not taught or suggested in the combination of Wisner and Song. For example, claim 1 recites:

when the primary database server receives a message from the client to start a new transaction, checking whether the primary database server has already executed another transaction corresponding to the new transaction to ensure that a job generates one committed transaction per database.

Applicants respectfully ask the Examiner to review FIG. 2D of Song. As discussed in Song, all data requests are placed "in a queue to guarantee that all database servers receive communication packets **in the same sequence** as illustrated in FIG. 2D" (col. 7, lines 39-44: emphasis added). Song further teaches software locks. "These locks are used to enforce **the same packet sequence** to be sent to all database servers" (col. 7, lines 47-48: emphasis added). Thus, Song teaches multiple databases that process

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communication packets in the same sequence. Nowhere does Song teach or suggest when the primary database server receives a message from the client to start a new transaction, checking whether the primary database server has already executed another transaction corresponding to the new transaction to ensure that a job generates one committed transaction per database. Song simply uses a first-come-first-serve policy to prevent race conditions by queuing all database commands in the same order (see col. 7, lines 53-57). Song never checks whether the primary database server has already executed another transaction corresponding to a new transaction. Thus, Song does not ensure that a job generates one committed transaction per database.

A dependent claim inherits the limitations of the base claim. As such, the dependent claims of claim 1 are also allowable over Wisner in view of Song.

Claims 3 and 15

Claims 3 and 15 recite numerous recitations that are not taught or suggested in the combination of Wisner and Song. For example, claims 3 and 15 recite:

checking whether the primary database server has already
executed a transaction operation for a transactional job
corresponding to the same transactional job before executing the
transaction operation.

The Office Action indicates that this recitation is disclosed in Song at col. 7, lines 45-47. Applicants respectfully disagree. Applicants respectfully ask the Examiner to review FIG. 2D of Song. As discussed in Song, all data requests are placed "in a queue to guarantee that all database servers receive communication packets **in the same sequence** as illustrated in FIG. 2D" (col. 7, lines 39-44: emphasis added). Song further teaches software locks. "These locks are used to enforce **the same packet sequence** to be sent to all database servers" (col. 7, lines 47-48: emphasis added). Thus, Song teaches multiple databases that process communication packets in the same sequence. Nowhere does Song teach or suggest checking whether the primary database server has already executed a transaction operation for a transactional job corresponding to the same transactional job

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before executing the transaction operation. Song simply uses a first-come-first-serve policy to prevent race conditions by queuing all database commands in the same order (see col. 7, lines 53-57). Song never checks whether the primary database server has already executed a transaction operation for a transactional job corresponding to the same transactional job. In Song, **the same** transactional job can be executed **numerous times**.

A dependent claim inherits the limitations of the base claim. As such, the dependent claims of claim 15 are also allowable over Wisner in view of Song.

II. Claim Rejections: 35 USC § 103

Claims 20 is rejected under 35 USC § 103 as being unpatentable over Wisner in view of Song and Hobbs, "Database Administration: Hot Standby for Rdb Systems" (hereafter Hobbs). This rejection is traversed.

Claim 20 depends from claim 15. Claim 15, as discussed above, is allowable over Wisner in view of Song. Since Hobbs fails to cure the deficiencies of Wisner and Song, claim 20 is allowable.

III. Claim Rejections: 35 USC § 103

Claim 18 is rejected under 35 USC § 103(a) as being unpatentable over Wisner in view of Song and further in view of Oracle 8:SQL Reference, Release 8.0 (hereafter Oracle). This rejection is traversed.

Claim 18 depends from claim 15. Claim 15, as discussed above, is allowable over Wisner in view of Song. Since Oracle fails to cure the deficiencies of Wisner and Song, claim 18 is allowable.

IV. Allowable Subject Matter

Applicants sincerely thank the Examiner for allowing claim 12 and for indicating allowance of claims 13-14 and 26-28 subject to being rewritten in independent form including limitations of the base and intervening claims.

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V. New Claims

Applicants add new claims 29-30. No new matter is entered.

These claims have numerous limitations that are not taught or suggested in the art of record. For example, claim 29 recites "specifying, by the client, conditions under which lost transactions are acceptable in order to increase performance."

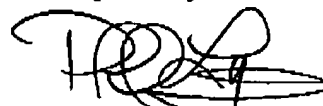
CONCLUSION

In view of the above, Applicant believes all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

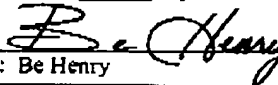
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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 703-872-9306 on this 7th day of March, 2005.

By 
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